

## **REMARKS**

Reconsideration of the application is respectfully requested.

### **I. Status of the Claims**

Claims 1, 8 and 9 are amended, and the amendment does not add new matter.

Claims 1-9 are pending. No new matter has been added.

### **II. Rejections under 35 U.S.C. §103**

Claims 1, 8 and 9 were rejected under 35 U.S.C. § 103(a) as unpatentable over Nicks et al. (U.S. Patent No. 5,969,810, herein "Nicks") in view of Garfunkel et al. (U.S. Patent No. 4,244,650, herein "Garfunkel"). Further, claims 2-4 were rejected under 35 U.S.C. § 103(a) as unpatentable over Nicks in view of Garfunkel further in view of Tokumi et al. (U.S. Patent No. 4,758, 084 herein "Tokumi"). Claim 5-7 are rejected under 35 U.S.C. § 103(a) as obvious over Nicks, Garfunkel, and in view of Cormack et al. (U.S. Patent No. 4,872,757, herein "Cormak"). Applicants respectfully traverse the above rejections.

Independent claims 1, 8 and 9 are directed to an inspection apparatus and recite, among other features, the feature that the angle detection device for visually detecting a rotation angle of the glass bottle with respect to a reference position and rotation angle is obtained by imaging the glass bottle to be inspected.

Thus, a person having ordinary skill in this art can understand that the present invention can determine the rotation angle of the glass bottle, even if the original angle of the glass bottle is not given when the glass bottle is placed on the turntable first. Moreover, even if the glass bottle slips on the turntable, the present invention can correctly determine the rotation angle of the glass bottle.

The Examiner acknowledges that Nicks does not specifically disclose visually detecting a rotation angle. Then, the Examiner combines Garfunkel with Nicks to supplement the deficiency of Nicks. This is

improper since Garfunkel's device is just optical shaft encoder. (See, column 4, lines 3-9) The optical shaft encoder operates on a different principal from the present invention of which rotation angle is obtained by imaging the glass bottle to be inspected.

Thus, Garfunkel dose not disclose the visual detection of the rotation angle obtained by imaging the glass bottle to be inspected. Therefore, the cited references of Nicks and Garfunkel, either taken individually or in combination, would not render obvious the present invention recited in claims 1 and 8.

Claim 2 – 7 depend from claim 1. As stated previously above, Garfunkel does not disclose, teach, or suggest the visual detection of the rotation angle obtained by imaging the glass bottle to be inspected. Therefore for at least the same reasons as claim 1, claims 2 – 7 are not obvious from the cited prior art references.

Further, neither Tokumi nor Cormak teach or suggest the element missing from Nicks and present in the claim.

**CONCLUSION**

In view of the above amendments, Applicants believe the pending application is in condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

The Examiner is respectfully requested to contact the undersigned at the telephone number indicated below once he has reviewed the proposed amendment if the Examiner believes any issue can be resolved through either a Supplemental Response or an Examiner's Amendment.

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Respectfully submitted,

By 

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